IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICTION NO. 3708 OF 2006
IN
FIRST APPEAL NO.1048 of 2004

SHRI SHAIKH YUSUF SHAIKH ISAAQ ... APPLICANT.
VS.
ISMILE SHAIKH ABDUL AJIJ
THROUGH HEIRS ... RESPONDENTS.
MR. A.V.ANTURKAR FOR THE APPLICANT.
MR. S.B.DESHMUKH FOR RESPONDENT NO. 3 TO 15.
MS.MONIKA KHADE FOR RESPONDENT NO.16 AND 17-B.

CORAM : S.K.SHAH, J.

DATE : April 4, 2007.

P.C.:-

1. None of the proposed legal representatives of the deceased respondent No.1 is present although they were duly served.

2. Heard the learned Counsel for the applicant and the learned Counsel for the Respondents. For the reasons stated in the application the abatement of the appeal as against the Respondent No.1-a to 1-d, is hereby set aside. The Civil Application is allowed and made absolute in terms of prayer clause (A) and (B). Necessary amendment shall be carried out within a period of one week from today. The application stands disposed of acodingly.

3. Appeal to come up for admission beyond vacation.

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[S.K.Shah , J.]